

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS**

Mary Kallenborn, individually and on	)	
behalf of all others similarly situated,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 12 C 6056
	)	
J.C. Christensen and Associates, Inc., a	)	Judge Kennelly
Minnesota corporation, LVNV Funding,	)	
LLC, a Delaware limited liability	)	
company, and Resurgent Capital	)	
Services, L.P., a Delaware limited	)	
partnership,	)	
	)	
Defendant.	)	

**JOINT MOTION FOR PRELIMINARY APPROVAL  
OF CLASS ACTION SETTLEMENT AGREEMENT**

Plaintiff, Mary Kallenborn, and Defendants, J.C. Christensen and Associates, Inc., LVNV Funding, LLC and Resurgent Capital Services, L.P., submit this Joint Motion, pursuant to Fed. R. Civ. P. 23, for preliminary approval of the Class Action Settlement Agreement. In support of this motion, the parties' state:

1. A Class Action Settlement Agreement, dated November 12, 2012, and attached as Exhibit 1, has been entered into by the parties.
2. The proposed Class Notice is attached as Exhibit 2.
3. The proposed Order Granting Preliminary Approval to the Class Action Settlement Agreement is attached as Exhibit 3.
4. The parties represent to the Court:
  - A. that the proposed settlement was reached through arms-length negotiations between Plaintiff's Counsel and Defendants' Counsel;

- B. that the proposed settlement is fair, reasonable and adequate to the members of the Class in light of the alleged violation by Defendants of the FDCPA; and,
- C. that the Settlement Agreement represents the compromise of disputed claims, that it in no way constitutes an admission of liability by Defendants with respect to any of the material allegations in the Complaint, and that Defendants specifically deny that their actions constitute a violation of the FDCPA to any extent whatsoever.

5. Plaintiff's Counsel represents to this Court that they are able, experienced and well-qualified to evaluate the fairness of the proposed settlement on behalf of the members of the Class and that Counsel are in favor of this Motion. The Declaration of Plaintiff's Counsel, David J. Philipps, setting forth his experience and qualification is attached as Exhibit 4.

WHEREFORE, the parties request that this Court grant preliminary approval to the Class Action Settlement Agreement and enter the order attached as Exhibit 3.

Dated: November 15, 2012

Plaintiff's Counsel,

/s/ David J. Philipps  
David J. Philipps (Ill. Bar. No. 06196285)  
Philipps & Philipps, Ltd.  
9760 S. Roberts Road, Suite One  
Palos Hills, Illinois 60465  
(708) 974-2900  
(708) 974-2907 (FAX)  
davephilipps@aol.com

Defendants' Counsel,

/s/ James K. Schultz

James K. Schultz (Ill. Bar No. 6243838)

Sessions, Fishman, Nathan & Israel, LLC

55 West Monroe Street

Suite 1120

Chicago, Illinois 60603

(312) 578-0993

(312) 578-0991 (FAX)

jschultz@sessions-law.biz

**CERTIFICATE OF SERVICE**

I hereby certify that on November 15, 2012, a copy of the foregoing **Joint Motion For Preliminary Approval Of Class Action Settlement Agreement** was filed electronically. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

James K. Schultz  
Sessions, Fishman, Nathan & Israel, LLC  
55 West Monroe Street  
Suite 1120  
Chicago, Illinois 60608

jschultz@sessions-law.biz

/s/David J. Philipps  
David J. Philipps  
Philipps & Philipps, Ltd.  
9760 S. Roberts Road  
Suite One  
Palos Hills, Illinois 60465  
davephilipps@aol.com